

STEVEN G. KALAR  
Federal Public Defender  
ELIZABETH FALK  
Assistant Federal Public Defender  
GALIA AMRAM PHILLIPS  
Assistant Federal Public Defender  
450 Golden Gate Avenue  
San Francisco, CA 94102  
Telephone: (415) 436-7700  
Facsimile: (415) 436-7706  
Elizabeth\_Falk@fd.org  
Galia\_Phillips@fd.org  
Counsel for Defendant BARRY HOUSE

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
BARRY HOUSE,  
  
Defendant.

No. 14-CR-196-CRB (NC)

**DECLARATION OF COUNSEL IN  
SUPPORT OF DEFENDANT BARRY  
HOUSE'S RESPONSE TO THE  
COURT'S ORDER REQUIRING  
NOTICE TO CRIME VICTIMS RE:  
PROPOSED SUBPOENA**

I, GALIA A. PHILLIPS, declare and state that:

1. I am an attorney at law duly admitted to practice in the State of California and admitted to the bar of this Court. I represent defendant Barry House in the above-captioned matter. Unless otherwise noted, I make this declaration based on my own personal knowledge. With respect to those matters not personally known to me I make this declaration upon information and belief.

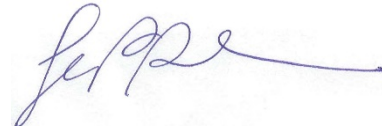
2. On September 5, 2014, Mr. House filed an ex parte application for an order authorizing an indigent subpoena under Fed.R.CrimP. 17(b) and (c). Mr. House also filed a motion to seal the subpoena in accordance with Local Rule 17-2(a)(1). The proposed subpoena sought records from Mr. House's two prior convictions in Alameda County.
3. At the detention hearing before the Court on September 3, 2014, the government referenced these prior convictions and made factual assertions concerning the misdemeanor conviction in particular.
4. The day after the hearing, I made a discovery request to the government for 1) Mr. House's rap sheet and 2) the source of the information the government proffered regarding Mr. House's Alameda County misdemeanor conviction. I had first requested Mr. House's rap sheet on August 14, 2014 (in addition to the standard request that the Federal Defender makes in its initial discovery letter sent when the case is first received).
5. The government has not responded to any of my requests for Mr. House's rap sheet, nor to my request for the source of the information the government proffered at the September 3, 2014 detention hearing regarding Mr. House's Alameda County misdemeanor conviction. The government has also not yet provided the recordings the Court ordered the government provide before the September 17, 2014 hearing.
6. I have requested Mr. House's files from both prior attorneys but no response has been received. According to the California State Bar website, the attorney for the misdemeanor conviction appears to be currently suspended from practicing law.

1 I DECLARE under penalty of perjury that the foregoing is true and correct to the best of my  
2 knowledge.

3 Respectfully submitted,

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5 Dated: September 11, 2014

GALIA AMRAM PHILLIPS  
Assistant Federal Public Defender

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